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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/348,891	07/06/1999	ANTONIUS A.C.M. KALKER	PHN-17.025	5906

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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EXAMINER

TRAN, THAI Q

ART UNIT PAPER NUMBER

2616

DATE MAILED: 03/08/2005

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/348,891

Applicant(s)

KALKER ET AL.

Examiner

Thai Tran

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. Please include the new Art Unit 2616 in the caption or heading of any written or facsimile communication submitted after this Office Action because the Examiner, who was assigned to Art Unit 2615, will be assigned to new Art Unit 2616. Your cooperation in this matter will assist in the timely processing of the submission and is appreciated by the Office.

### ***Response to Arguments***

2. Applicant's arguments filed Nov. 01, 2004 have been fully considered but they are not persuasive.

In re page 5, applicants argue that, in the Decision on Appeal dated Aug. 31, 2004, due to Appellants statement that the claims stand or fall together, the Board limited its discussion to one claim, i.e., claim 5, which has now been cancelled and only related to a decoder which included means for accumulating spatially corresponding coefficients of a plurality of pictures, and means for inverse transforming the accumulated coefficients into an accumulated plurality of pictures, and did not address the detecting of a watermark in a compressed video signal.

In response, it is noted that all of applicants' arguments relating to the detecting of a watermark have been addressed in the Examiner's Answer dated Oct. 21, 2003. Thus, claims 1-4 and 6 are again rejected under 35 U.S.C. 102 (e) as being anticipated by Cox et al ('792 B1) as set forth in the Examiner's Answer.

### ***Claim Rejections - 35 USC § 102***

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3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Cox et al ('792 B1).

Regarding claim 1, Cox et al discloses a method of detecting a watermark in a compressed video signal (Fig. 10) comprising spectral coefficients obtained by transforming picture of said video signal, the method comprising the steps:

accumulating spatially corresponding coefficients of a plurality of picture (step 102 of Fig. 10, col. 17, lines 51-58);

inverse transforming said accumulated coefficients into an accumulated plurality of pictures (step 104 of Fig. 10, col. 17, line 59 to col. 18, line 1); and

detecting the watermark in said accumulated plurality of pictures (steps 106-118 of Fig. 10, col. 18, lines 1-12).

Regarding claim 2, Cox et al also discloses the claimed wherein said encoded video signal includes predictive encoded pictures each comprising coefficients representing a residual picture after subtracting a prediction picture, and wherein the step of accumulating coefficients is applied to the coefficients representing said residual

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pictures irrespective of coefficients representing the prediction picture (col. 9, lines 27-49 and col. 17, lines 51-58).

Regarding claim 3, Cox et al further discloses the claimed wherein said predictive encoded pictures further include motion vectors, and wherein the step of accumulating coefficients is carried out irrespective of said motion vectors (col. 9, lines 27-49 and col. 17, lines 51-58).

Apparatus claim 4 is rejected for the same reasons as discussed in method claim 1 above.

Claim 6 is rejected for the same reasons as discussed in claim 1 above with additional limitation of claimed means (col. 1, lines 32-45) for disabling recording and/or playback of the video signal in dependence upon the presence of a watermark in said video signal.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (571) 272-7382. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTQ

  
THAI TRAN  
PRIMARY EXAMINER